

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
EASTERN DIVISION

THE RELIGIOUS SISTERS OF
MERCY, *et al.*,

Plaintiffs,

v.

SYLVIA BURWELL, *et al.*,

Defendants

No. 3:16-cv-00386-RRE-ARS

**Declaration of Sister Suzanne
Stahl**

1. My name is Sister Suzanne Stahl. I am over the age of 21 and am capable of making this declaration pursuant to 28 U.S.C. § 1746. I have not been convicted of a felony or crime involving dishonesty. The facts contained herein are within my personal knowledge. If I were called upon to testify to these facts, I could and would competently do so.

2. I am a Sister of Mary of the Presentation from Valley City, North Dakota. I presently serve as Provincial of the Sisters of Mary of the Presentation, and I have done so since 2014. Prior to that, I was the Provincial Assistant for nine years. I work at Maryvale, the Provincial Home of the Sisters of Mary of the

Presentation. I previously lived and worked at some of our Religious Congregation's missions in the United States and Africa.

3. The Sisters of Mary of the Presentation were founded in France in 1828 for the purpose of teaching children and serving the sick, disabled, and elderly. In 1903, fleeing religious persecution in France, the Sisters arrived in the United States and began a school in Wild Rice, North Dakota and a hospital in Spring Valley, Illinois. The Sisters of Mary of the Presentation now have a Provincial home in Valley City, North Dakota, and operate three critical access hospitals in North Dakota, in addition to the original hospital in Spring Valley. The Sisters also operate five nursing homes to serve the elderly in North Dakota. Together, these ministries constitute SMP Health System.

4. SMP Health System is operated according to the religious beliefs of its sponsor, the Sisters of Mary of the Presentation. The mission of SMP Health System is to "provide[] leadership to its Catholic health care ministries as they work to fulfill the healing mission of Jesus." SMP Health System's vision statement explains that "Our concern is for all people, but the poor and elderly have a special claim on us. From our limited resources we provide services characterized by excellence, compassion, and personalized concern. Because we care, we focus on the needs of the whole person, physical, spiritual, psychological, and social." See SMP Health System, *Mission, Values, Vision and Philosophy*, <http://smphs.org/mission-values-vision-philosophy.html> (last visited Nov. 7, 2016). Thus, SMP Health System

has a special emphasis on providing services to the poor and elderly, including many Medicare and Medicaid patients. If SMP Health System lost HHS funding, it would suffer a serious blow to its capacity to carry out that mission.

5. In accordance with this vision and mission, the Sisters of Mary of the Presentation operate SMP Health System in a manner that abides by *The Ethical and Religious Directives for Catholic Healthcare Services*, as issued by the United States Conference of Catholic Bishops and interpreted by the local Bishop. The Sisters of Mary of the Presentation strive to “provide quality patient care in an environment that contributes to the healing of the whole person.”

6. Like the Catholic Church it serves, SMP Health System believes that every man and woman is created in the image and likeness of God and reflects God’s image in unique—and uniquely dignified—ways. Being forced to provide or facilitate gender transition services would violate the religious beliefs of SMP Health System.

7. SMP Health System provides all of its standard medical services with dignity and compassion to every individual who needs and qualifies for its care, including to individuals who identify as transgender. Thus, for instance, if a transgender individual comes in with high blood pressure or a diabetes diagnosis, SMP Health System would provide the same full spectrum of compassionate care for that individual as they provide for every other patient. And, just as we do for

every other patient, SMP Health System would appropriately tailor that care to the biologically sex-specific health needs of the patient.

8. The SMP Health System physicians and facilities offer services such as hysterectomies, mastectomies, endocrinology services, and psychiatric support. In certain contexts, SMP Health System physicians also offer endocrinology services to pediatric patients, including children. It would violate SMP Health System's religious beliefs if we were forced to require physicians to offer these services for a gender transition.

9. Some of the procedures required under the Rule, including elective hysterectomies, can result in the sterilization of the patient. It would violate SMP Health System's religious beliefs if it were required to offer elective medical services that resulted in a sterilization.

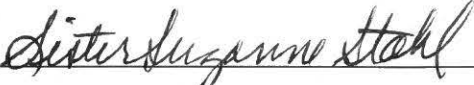
10. In certain contexts, SMP Health System performs surgical procedures for women who have miscarried a baby, such as dilation and curettage. It would violate SMP Health System's religious beliefs if it were required to offer this procedure to terminate a pregnancy.

11. As part of its religious beliefs, SMP Health System offers health benefits to its full time employees. It would violate the religious beliefs of SMP Health System if it were forced to offer a health plan that included benefits for abortions, sterilizations, or any drugs or procedures related to gender transition. SMP Health System and the Sisters of Mary of the Presentation sincerely believe

that offering such coverage would constitute impermissible material cooperation with evil.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 15, 2016.


Sister Suzanne Stahl